

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

In re Cablevision Consumer Litigation

This Document Relates To:

All Actions

Case No. 10-cv-04992 (JS) (AKT)

ECF Case
Electronically Filed

**DECLARATION OF CAROL S. SHAHMOON IN SUPPORT OF
PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT AS TO LIABILITY**

Carol S. Shahmoon, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am co-lead counsel for the plaintiffs in the above-captioned class action matter.

I am admitted to the state and federal courts of New York. I have personal knowledge of the facts set forth herein and am competent to testify to those facts.

2. I respectfully submit this declaration in support of the Motion (the "Motion") of Plaintiffs Eric Bohm, John Brett, Arthur Finkel, Ted Pearlman, Vincent Pezzuti and Stanley Somer (collectively "Plaintiffs"), by and through their counsel, on behalf of themselves and all others similarly situated (collectively the "Class"), seeking entry of an order granting partial summary judgment as to liability against Defendants Cablevision System Corp and CSC Holdings LLC (referred to collectively herein as "Cablevision").

3. A true and correct copy of Plaintiffs' monthly invoices from Cablevision for the period of October 16, 2010 through October 30, 2010, is collectively annexed hereto as Exhibit A.

4. A true and correct copy of Defendants' Responses to Plaintiffs' Interrogatories dated September 2, 2011, is annexed hereto as Exhibit B.

5. A true and correct copy of an email chain among Cablevision executives Jim Maiella, Charlie Schueler and Lee Schroeder, dated October 27, 2010 through October 29, 2010, Bates stamped CSC00033664, is annexed hereto as Exhibit C.

6. A true and correct copy of an email chain among Cablevision executives Jim Maiella, Charlie Schueler and Lee Schroeder, dated October 27, 2010, Bates stamped CSC00030186, is annexed hereto as Exhibit D.

7. A true and correct copy of the Terms of Service in effect during October 16 through October 30, 2010, governing the relationship between Cablevision and its subscribers, as filed with this Court by Cablevision's counsel as Exhibit B [Doc. #34-4] with Cablevision's motion to dismiss filed on March 18, 2011, is annexed hereto as Exhibit E.

8. A true and correct copy of an email sent by Cablevision to its New York and New Jersey customers, and an email Cablevision sent to its Connecticut customers, both dated October 16, 2010 and filed with this Court by Cablevision's counsel as Exhibit D [Doc. # 34-6] and E [Doc. #34-7] respectively, to Cablevision's motion to dismiss filed on March 18, 2011 is collectively annexed hereto as Exhibit F.

9. A true and correct copy of Cablevision's Rates and Packages during the Blackout Period is annexed hereto as Exhibit G.

10. For the reasons set forth in Plaintiffs' moving papers, Plaintiffs respectfully request that the Court grant the Motion in its entirety.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 3, 2012

/s/ Carol S. Shahmoon
Carol S. Shahmoon

CERTIFICATE OF SERVICE

I, Carol S. Shahmoon, certify that a true and correct copy of Declaration Of Carol S. Shahmoon In Support Of Plaintiffs' Motion For Partial Summary Judgment As To Liability has been served via First Class U.S. Mail and by electronic mail to the below-listed attorney in charge for Defendants in accordance with the requirements of the Federal Rules of Civil Procedure.

Thomas H. Golden
Wilkie Farr & Gallagher LLP
787 Seventh Avenue
New York, New York 10019

Dated: December 3, 2012

Respectfully submitted,

CHITWOOD HARLEY HARNES LLP

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